

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**UNITED STATES OF AMERICA**

**v.**

**DAVID THOMAS**

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: **CRIMINAL ACTION NO. 15-370-1**  
: **CIVIL ACTION NO. 20-CV-3016**  
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**ORDER**

This 24<sup>th</sup> day of November, 2020 it is hereby **ORDERED** that Defendant's motion to vacate under 28 U.S.C. § 2255 is **DENIED**. The Court declines to issue a certificate of appealability, as Defendant has not "made a substantial showing of the denial of a constitutional right." 28 U.S.G. § 2253(c)(2).

/s/ Gerald Austin McHugh  
United States District Judge